



30002205

21 June/juin, 2023

Subject: REQUEST FOR STANDING OFFER 30002205

ADDENDUM #4

Further to the above-mentioned Request for Proposal documentation previously forwarded to your firm, Addendum (#4) is hereby issued.

Questions and Answers

INQUIRY #1:

The Request for Standing Offer notes in following section that there is a “requirement for up to (3) Contractors to Brush various Fixed Aids to Navigation Sites on the Mackenzie River”:

- *1.2.1 The Canadian Coast Guard – Arctic Region has a requirement **for up to (3) Contractors** to Brush various Fixed Aids to Navigation Sites on the Mackenzie River. The standing offers will be from the date of standing offer award to May 31, 2026.*

- **ANNEX "A" STATEMENT OF WORK**
 1. *Project Title*
Brush Cleaning, Mackenzie River, NWT

 2. *Objective*
*The purpose of this requirement is **to award up to three (3) standing offers to provide brush cleaning** services for Canadian Coast Guard on the Mackenzie River.*

 3. *Background Statement*
*The Canadian Coast Guard – Arctic Region **has a requirement for up to (3) Contractors** to Brush various Fixed Aids to Navigation Sites on the Mackenzie River. The resulting standing offers will be for the period from the date of award of the standing offers to May 31, 2026.*

Question A. Objective of Annex A states: “The purpose of this requirement is **to award up to three (3) standing offers to provide brush cleaning** services for Canadian Coast Guard on the Mackenzie River.” Am I correct in saying, that there are up to three (3) standing offers, each valued at \$75,000.00 (Applicable taxes included), that could be awarded in a given year, for a total of \$225,000.00 (Applicable taxes included)?

Answer to Question A. based on the yearly total over 120 days there can be up to 3 call-ups issued and each not to exceed \$75K.

Question B. How will the Canadian Coast Guard determine if a second or third Contractor will be called up in a given season? WHAT criteria will be used to determine if they will be called up? What criteria will be used to determine WHEN will they be called up?

For example, will the contractor with the lowest bid get all 3 standing offers in the same season unless they turn one of the call ups down? Or is there a plan for all three contractors to get a call up for a standing offer in a season, provided that there are 3 standing offers in that season?

This is critical information to know to be able to understand how this Request for Standing Offer works.

Answer to Question B. Based on the lowest bid, if first bid refuses then it goes to second lowest bid and on to third.

Question C. What is the timeline (WHEN) for contractors to be informed about how many standing offers will be awarded in a given season? It would be very helpful for all the contractors involved if this information is provided to the contractors before the beginning of the season as it helps contractors plan their season.

Answer to Question C. It depends on the number of sites to be done. How many sites can be done per offer? In the past, there have been three offers per year.

INQUIRY # 2:

In regards to **PART 4 - EVALUATION PROCEDURES AND BASIS OF SELECTION:**

- *4.2 Basis of Selection*

*An offer must comply with the requirements of the Request for Standing Offers and meet all mandatory technical evaluation criteria to be declared responsive. **The three (3) responsive offers with the lowest evaluated price will be recommended for issuance of a standing offer.***

Question A. Does “three (3) responsive offers with the lowest evaluated price” mean 3 different contractors who bid the lowest amounts who are also responsive?

Answer to Question A. There will be an order based on cost and if three companies bid, each will be set in order from 1 to 3

Question B. Does the statement in Part 4, 4.2 mean that all three (3) responsive offers with the lowest evaluated price will be called up to receive a standing offer of \$75,000.00 (Applicable Taxes Excluded) each? Please clarify exactly what section 4.2 means for the prospect of getting a call-up for each of the three (3) responsive offers with the lowest evaluated price.

Answer to Question B. The lowest total bid will receive the first offer, if they refuse it goes to the second bidder and to the third if needed.

INQUIRY # 3:

In Regards To Annex A,

- 8. Inspections
 - i. **Completed Sites will be Inspected prior to payment** (Before and After photos must be taken and submitted with Site Invoice to clearly show Brushing Site completion).
 - ii. Any discrepancies on Square Footage from original Statement of Work will be measured by the Contractor and submitted for approval to the DFO Project Authority before commencement of any work.

Question A. Does Inspection only involve looking at Before and After photos or does it also involve on-site inspection?

Practically, if it involves on-site inspection, it may not be reasonable to make a contractor wait for the on-site inspection to get paid. The reason is that the Coast Guard personnel responsible for inspection can be tied up with all sorts of other setbacks such as high water or waiting for vessel repairs, etc. which would delay a timely inspection.

Answer to Question A. It will be based on pictures alone.

Question B. It would be advantageous if some on-site inspections are required by the Coast Guard so as to maintain the confidence of the contractors that have not received a call-up. The contractors that did not receive a call up should be able to rest assured that the work being performed by the contractor(s) who has/have received a call up is/**are** actually carrying out the work in the manner prescribed in the Request for Standing Offer. Also, 4 photos do not show if work is not done according to the manner prescribed in the Request for Standing Offer. For example, one cannot tell in a photo if the vegetation is being cut to .15 meters of ground level except for the near point in the photo. Also, one cannot tell if the vegetation is piled properly on the edges of the range line in photos.

How will contractors be assured that the Coast Guard is ensuring that the brush clearing work is being carried out in the manner prescribed in Annex A?

Answer to Question B. It is based on the honesty of the provider, photos, and occasional visual inspections time permitting it is based on the honesty of the provider, photos and occasional visual inspections time permitting.

INQUIRY #4:

Question A. Does a contractor have the right to demand from the Coast Guard an increase in payment relative to their All-Inclusive Daily Rate if during a given year there is a large increase in inflation as we saw in 2022?

Answer to Question A. No, the rates are predetermined in your submitted bids up to a maximum of \$75K per call-up.

INQUIRY #5:

In regards to **PART 7 - STANDING OFFER AND RESULTING CONTRACT CLAUSES:**

- *7.8.1 Right of First Refusal*
The call-up procedures require that when a requirement is identified, the identified user will contact the highest-ranked Offeror to determine if the requirement can be satisfied by that Offeror. If the highest-ranked Offeror is able to meet the requirement, a call-up is made against its standing offer. If that Offeror is unable to meet the requirement, the identified user will contact the next ranked Offeror. The identified user will continue and proceed as above until one Offeror indicates that it can meet the requirement of the call-up. In other words, call-ups are made based on the "right of first refusal" basis. When the highest-ranked Offeror is unable to fulfill the need, the identified user is required to document its file appropriately. The resulting call-ups are considered competitive and the competitive call-up authorities can be used.

Question A. If the highest-ranked Offeror is unable to satisfy a requirement for any reason and the next highest-ranked Offeror is, does the highest-ranked Offeror remain the highest ranked Offeror the next time the identified user has a requirement, i.e., will the original highest-ranked Offeror be the first Offeror to be contacted about the availability of the next requirement?

Answer to Question A. Yes, the high-ranked offeror will remain for the duration of the contract.

Question B. What does "requirement" entail? Is it one (1) site to be brushed or is it all the work available until one 75,000.00 (Applicable taxes included) standing offer is completed based on an Offeror's All-Inclusive Daily Rate?

Answer to Question B. All the work to be done up to a maximum of \$75K by call-up.

INQUIRY #6:

In regards to **PART 7 - STANDING OFFER AND RESULTING CONTRACT CLAUSES:**

- *7.8.2.1 The Project Authority or his/her authorized representative will contact the Offeror by e-mail and provide the Offeror with the following information:*
 - i. the description of the services required and the location coordinates;*
 - ii. the schedule deemed acceptable by the identified User, if applicable; and*
 - iii. the estimated number of days to complete the work, travel time not included.*

Question A. In 7.8.2.1 iii, HOW will the Project Authority or their authorized representative estimate the number of days to complete the work. I cannot find the formula in this rfso package that shows how this will be determined. In the last rfso package in 2019, there was an example that showed the formula. Please see below this formula and an example circled in red from the 2019 rfso package.

$L \times W = \text{Sq. ft divided by } 378 \text{ (this is the sq. ft. one man can do in an hour) divided by } 32 \text{ (contractors 4- man crew working an 8-hour day. NOTE: In 2019, "30" was used instead of "32" as a 7.5-hour day was used for the calculations)}$ gives you the number of days. Then multiply the number of days by the daily rate. This will give you the amount of money that the DFO will pay the contractor for brush clearing an individual site. What is the formula on this rfso to determine the approximate number of days to complete the work on a site?

Proposed Sites for Brushing

Work Order	Contract Brushing - (Maximo Work Order # W925687)	Location	Area	Sq. Ft	Days
W924386	2016 - Mile 54.0 Whitlock Is. Range Line only (Tower Site/H Pad Brushed CCG 2014)	C1728000	20' + 900 + 40' X 80	72,000	6.0
W924621	2016 - Mile 78.6 Mills Lake Range. Range Line only (Tower Site/H Pad Brushed CCG 2014)	C1734000	20' + 950 + 30' X 80	76,000	6.3
W926467	2016 - Mile 205.6 Martin Island Range Line only (Tower Site/H Pad Brushed CCG 2014)	C1745300	20' + 938' + 60' X 80	75,040	6.2
W925104	2016 - Mile 210.2 Range (Harris River)	C1745600	20' + 820' + 40' x 80	65,600	5.4
W613744	2016 - Mile 184.6 Range	C3357000	20' + 220' + 30' *80	22,400	1.9
W613746	2016 - Mile 184.7 Range	C3359000	20' + 285' + 30' *80	27,600	2.3
W614036	2016 - Mile 192.2 Range	C3384000	20' + 450' + 40' * 80	41,600	3.4
W931814	2016 - Mile 193.2 Range	C3388000	20' + 197' + 40' * 80	21,360	1.8
W931888	2016 - Mile 292.2 Range	C3518000	30' + 308' + 30 * 80	30,240	2.5
W683243	2016 - Mile 325.4 Range	C3567000	25' + 479' + 20*80	42,720	3.5
W687182	2016 - Mile 353.1 Range	C3600000	30' + 243' + 35*80	25,440	2.1
W843281	2016 - Mile 373.1 Range	C3610000	20' + 587' + 30' * 80	51,760	4.3

W616809 2016 - Mile 394.6 Range C3613000 20' + 294' + 20*80 27,520 2.3

L * W = sq. ft. divided by 378 (this is the sq. ft. one man can do in an hour) divided by 32 (contractors 4 man crew) gives you the number of days * the contractors daily rate.

Site is 80' * 400' = 32,000 sq. ft. divided by 378 = 84.66 sq. ft. divided by 32 = 2.65 days Times Daily Rate (say 3589.56) = \$9,512.34

NOTE: Sites to be brushed are to be determined by CCG in order of Priority. List of Sites shown subject to change as priorities change due to Environmental elements beyond Contractors control.

Answer to Question A. It will be calculated by the project authority based on a formula used in the past for each site.

INQUIRY #7:

In regards to **ANNEX A, 6. Work Authorization:**

- a) *The DFO Project Authority will contact the Contractor via e-mail requesting the services of the Contractor. Information provided will indicate the specific location of the work to be performed, estimated square footage (this is provided to the contractor based on historical site records for size of towers), distance between towers and estimated distance from front tower to water edge) of the area(s) where brush clearing is required, estimated no. of days to complete the work and completion deadlines. The estimated number of days to complete the work is based on the square footage but does not include travel time to the work site. **The Contractor must respond no later than 2 business days following receipt of the e-mail, confirming availability, no. of days of work and confirming the firm per diem rate based on Annex B, Basis of Payment.***
- b) ***The Contractor must be available to begin work within 5 business days of the e-mail received from the DFO Project Authority.***
- c) *The Contractor and the DFO Project Authority must mutually agree to a proposed schedule for the work. The Contractor must notify the DFO Project Authority 24 hours prior to commencement of work. Upon commencement of the work, the Contractor must work diligently on the work until completion.*
- d) *Upon completion of the work, the Contractor must provide the DFO Project Authority with photographs of the work site as detailed in item 7 sub-section 4 e) Photographs. All work is subject to approval from the DFO Project Authority.*

Question A. I understand that the Coast Guard wants to be efficient with the brush clearing work and has set timelines for responding (6a) and commencing work (6b). However, I believe from a realistic point of view both timelines are too short. I don't think that the Coast Guard has taken into account the realities of living in the Northwest Territories. Firstly, cell and internet service are only available in limited areas, that is in the communities only and a very limited surrounding area of the communities. Secondly, internet service is not consistently reliable in many communities. For these reasons, I feel like giving a contractor only 2 business days to respond to the DFO Project Authority following receipt of the DFO

Project Authority's email as is described in 6a (which I take means when the email was sent and not actually when the contractor received the email) is setting contractors up for easy failure. It would seem more reasonable to give the contractor at least 4 business days to respond following receipt of the DFO Project Authority's e-mail, confirming availability.

Would the DFO consider extending the number of days that a Contractor has to respond to the DFO Project Authority following receipt of the e-mail, confirming availability in this rfs?

Answer to Question A. Yes, Canada can extend to 4 days.

QUESTION B. In 6b), it is written "**The Contractor must be available to begin work within 5 business days of the e-mail received from the DFO Project Authority**". For the same reasons regarding limited and non-reliable internet service and cell service as well as the fact that supplies and resources can be far away, giving contractors a minimum of 7 business days to commence work vs 5 business days is more achievable. A contractor cannot finalize their supplies such as food and resources such as

employees (which may need to be sourced from bigger centers or from other communities) until they know that they have the work; they know the specific location of the work to be performed (NOTE: the MacKenzie River is a very long river). Plans and logistics need to be adapted to the location of the work. The contractors also need to know the size of the site (sq. ft.), any special requirements for the site, as well as the estimated no. of days to complete the work and any completion deadlines to make proper plans.

Would the DFO consider extending the number of days that a Contractor has to begin work in this rfso?

Answer to Question B. Yes, Canada can extend to 7 days.

INQUIRY #8:

In regards to **Annex B: Basis of Payment:**

The volumetric data included in this pricing schedule are provided for bid evaluated price determination purposes only. They are not to be considered as a contractual guarantee. Their inclusion in this pricing schedule does not represent a commitment by Canada that Canada's future usage of the services described in the bid solicitation will be consistent with this data.

Question A. What is the DFO referring to when they refer to Volumetric Data? Is this the total of the addition of (A1xA2) + (B1xB2) + (C1xC2)? or any individual multiplication such as (A1xA2)?

Answer to Question A. Company per diem rate for x number of people times 120 days equals volumetric data for each of the next 3 years will form the basis of the rating for the lowest submission.

INQUIRY #9:

In regards to **Annex B: Basis of Payment:**

- *All-Inclusive Firm Daily Rate (Excluding Taxes)" * For the purpose of this Standing Offer, a day is defined as 7.5 hours of work, exclusive of meal breaks. Payment will be made for days actually worked, with no provision for annual leave, statutory holidays and sick leave. If time worked is more or less than a day, the all-inclusive fixed daily rate must be prorated to reflect the actual time worked. Time worked which is more or less than a day will be prorated to reflect actual time worked in accordance with the following formula: **(Hours worked × applicable firm per diem rate) ÷ 7.5 hours***

Question A. Can an example be given of how this formula of **(Hours worked × applicable firm per diem rate) ÷ 7.5 hours** is applied in the overall formula for determining how a contractor will be paid for a completed site?

HOW DOES **(Hours worked × applicable firm per diem rate) ÷ 7.5 hours** RELATE TO THE FOLLOWING FORMULA IF IT IS INDEED THE APPLICABLE FORMULA:

$L \times W = \text{Sq. ft. divided by } 378 \text{ (this is the sq. ft. one man can do in an hour) divided by } 30 \text{ (contractors 4-man crew working a 7.5-hour day) = Number of Days. Then multiply the number of days by the daily rate. This will give you the amount of money that the DFO will pay the contractor for brush clearing an individual site.}$

PLEASE GIVE AN EXAMPLE OF THE APPLICABILITY OF THE **(Hours worked × applicable firm per diem rate) ÷ 7.5 hours** FORMULA.

Answer to Question A. if a site takes 4 hours to complete it would be $4\text{hrs} \times \$1000 / 7.5 = \533.33

INQUIRY #10:

In regards to **ANNEX C, ELECTRONIC PAYMENT INSTRUMENTS:**

- *The Offeror accepts to be paid by any of the following Electronic Payment Instrument(s):
() Acquisition Card;
() Direct Deposit (Domestic and International);*

Question A. Does an Offeror need to accept being paid by both Acquisition Card and by Direct Deposit? Or can an Offeror accept being paid by Direct Deposit alone.

Answer to Question A. Offeror will be paid as chosen by either credit card or direct deposit

QUESTION B. If an Offeror needs to accept being paid by both Acquisition Card and by Direct Deposit, how do they go about getting an Acquisition Card?

Answer to Question B. Acquisition Card is a mode of payment for the government.

INQUIRY #11:

Question A. If an Offeror receives a call-up late in the season (Note that it gets pretty cold with shorter days by the end of September, and that by mid-October, ice can begin forming on the MacKenzie River), would the Offeror be able to complete the \$75,000.00 Standing Offer during the beginning of the next season (which would begin at the earliest sometime in June depending on ice break-up and water levels)?

Answer to Question A. No.

INQUIRY #12:

Question A. The brush clearing season on the MacKenzie River can begin once break-up is finished and water levels are at a reasonable level. Depending on the year, the beginning of brush clearing season could begin sometime in June. The end of the season would be determined by shortening days, and cold (freezing) weather. The absolute end of the season would be determined by when ice starts forming on the MacKenzie River sometime in mid-October. However, the reasonable end of a season could be anywhere from the end of September to mid-October. Taking this time frame to complete the brush clearing work into account, what is the reasonable time frame (beginning of June? beginning of July? beginning of August?) for the DFO Project Authority to contact contractors in regards to requesting the services of the Contractor? Is there a way to ensure that the DFO contacts contractors in a timely manner in regards to the length of the short work season?

Answer to Question A. Sites for the following year will be determined based on observation from the current year. It is impossible to estimate as the dates will vary based on the location..

Yours truly,

Bassam EL-DAYA

Senior Procurement Officer | Agent d'approvisionnement principal
Procurement Services | Services d'approvisionnement